

CHESTNUTHILL TOWNSHIP SUPERVISORS  
ROUTE 715, BRODHEADSVILLE, PA 18322  
MINUTES OF MEETING – JANUARY 5, 2004

A regular meeting of the Chestnuthill Township Board of Supervisors was called to order immediately following the reorganization meeting at 6:15 p.m. on Monday, January 5, 2004, at the Municipal Building, Rte 715, Brodheadsville, Pa. Those present were Chuck Gould (Chairman), Maureen Tatu (Vice-Chairman) Leigh Kane (Supervisor) and Atty. Joseph P. McDonald, Jr.

The **Pledge of Allegiance** was held at the reorganization meeting.

**Executive session.** None.

**Unit Care Agreements.** None.

**Public Comment.**

**Bob Baker.** Asked why the LTS Whispering Woods meeting held the end of December was not advertised? Chuck stated the meeting was not held by the Township; the residents of Whispering Woods scheduled the meeting and asked if they could use the Township meeting room.

**Minutes.** On motion made by Maureen, seconded by Chuck it was voted to approve the minutes of the December 16<sup>th</sup> and 22<sup>nd</sup> meetings, as distributed. (3-0)

**Correspondence.**

**Atty. McDonald.** Received a request from LTS for a signed developers agreement, he will forward it to them.

**Roadmaster.** None.

**Planning Director.** Dave Albright had a draft agreement from American Oil Recycling, Inc to remove and dispose of used oil products and they will pay the Township 4 cents per gallon. Atty. McDonald had a few questions on adequate insurance and indemnification clauses. On motion made by Chuck, seconded by Leigh it was voted to sign this agreement but to have Dave and Atty. McDonald coordinate an acceptable agreement with American Oil Recycling Inc. (3-0)

**Open Space Application Update.** Dave said the Commissioners meet on January 21 at 9:30 a.m. and we have requested that our open space grant application be placed on the agenda.

**Old Business.**

Senior Housing Update. The next meeting is February 19, 2004 at 7:00 p.m. There should be two developers at the meeting with updates on their projects. Maureen thanked the members for their time.

### **New Business.**

Cleaning/Maintenance Bid. On motion made by Chuck, seconded by Leigh it was voted to put the cleaning/maintenance of the park and township buildings out for bid since we are approaching the legal bidding limitations. (3-0)

Parking lot use. Jim Keiper asked the Board if he could park some cars in the township parking lot on Saturday, January 24, 2004 as he is hosting a sale at his house and there is no parking. On motion made by Chuck, seconded by Maureen it was voted to let Jim use the parking lot with a monetary donation to the park. (3-0)

Bid for the Septic System at the Park. The sealed bids were required to be opened at this meeting, however with the holidays and the mail system several requested bidders did not get their spec packages. On motion made by Chuck, seconded by Maureen it was voted to extend the receiving of sealed bids until January 20, 2004 to be opened at the Board meeting that evening. (3-0)

Real Estate Tax Collector. After interviewing five people for the position of RE tax collector, on motion made by Maureen, seconded by Chuck it was voted to appoint June O'Neill as Real Estate Tax Collector. (3-0)

Letter to Commissioners. Maureen drafted a letter to the Commissioners at the request of some of the Whispering Woods residents for a countywide reappraisal of all homes/properties. After the letter was read, a brief discussion ensued. Leigh made it clear that it was not her decision to have this letter written and before she can make any decision on the sending of this letter she needs time to review it. On motion made by Maureen, seconded by Chuck it was voted to table this matter until the next meeting on January 20<sup>th</sup> so Chuck and Leigh have a chance to review the letter. (3-0)

Jim Spinola. Asked what the procedure is to notify the County of new homes being built. The Zoning Officer, Walter Hansen, was in the audience and he went through the procedures for a certificate of occupancy on a new home and that they are sent to the County every month along with the Earned Income tax office. A lengthy discussion ensued.

Heller's Gas. Walter Hansen, Zoning Officer brought to the Boards attention that Heller's Gas had a temporary certificate of occupancy (c/o) for 59 days that expired on 12/31/03. They have not applied for a permanent c/o. A letter was sent by the Zoning Officer's attorney for Heller's to cease and desist. Atty. McDonald gave a brief history on this property, reminded the Board that this is in litigation, and should not be discussed in public. Atty. McDonald suggested an executive session and if any decisions need to be made they can come back into the meeting. The Board agreed.

Letter to Mabel Bonser. A letter was drafted to Ms. Bonser to inform her since there has been no attempt to return to work she will be terminated as of February 29, 2004 and she will need to make arrangement for her health and other insurance benefits. On motion made by Maureen, seconded by Leigh it was voted to send this letter. (3-0)

Bills. On motion made by Maureen, seconded by Chuck, it was voted to pay the General and State Fund bills. (3-0) Jim Spinola questioned some of the bills.

**Plan.**

D'Alessandro Planning Module. This is for the commercial property on Marion Lane. The Planning Commission unanimously did not recommend its approval, because there is no land development plan. Mr. D'Alessandro spoke about this module that it is proposing 950 gallons a day for a sewage system. Mr. D'Alessandro would like to open the lines of communication and states he is in no rush for this. He would like Atty. McDonald to review the regulations of DEP Chapter 71, and he would like to work with the Township. A brief discussion ensued. On motion made by Chuck, seconded by Maureen it was voted to table this until the January 20<sup>th</sup> meeting conditioned up receiving an open ended waiver to allow further research into all the legalities. Atty. McDonald will draw up the waiver and Mr. D'Alessandro did agree to sign it when received. (3-0)

Into Executive Session. On motion made by Chuck, seconded by Leigh it was voted to go into executive session to discuss Heller's Gas litigation at 7:17 p.m. and will come back to the meeting after the executive session to either adjourn or make a decision to act on this issue. (3-0)

Out of Executive Session. On motion made by Chuck, seconded by Maureen it was voted to go back into the public meeting at 7:40 p.m. (3-0) On motion made by Chuck, seconded by Maureen it was voted to direct Atty. McDonald to take whatever legal course necessary for Heller's Gas and to ask Engineer, Chris McDermott to make another site inspection for compliance. (3-0)

Auditor Resignation. June O'Neill gave the Board a verbal resignation of her position as Elected Auditor, as she has accepted the position of appointed Real Estate Tax Collector. On motion made by Chuck, seconded by Maureen it was voted to accepted this resignation. (3-0)

Adjournment. There being no further business, on motion made by Maureen, seconded by Leigh it was voted to adjourn at 7:43 p.m.

Respectfully submitted,

Cathy A. Baker  
Recording Secretary